



*Informing Professional Geologists  
of the events and developments  
that affect their profession*

## In This Issue:

- 1 Message from the Chair
- 2 Your Board Members
- 3 History of Geologist Licensure in Washington
- 4 The Use of Professional Designations
- 4 "Guidelines for Washington State Building Officials and Design Professionals" Handbook
- 5 Coming Soon! — Online (Credit Card) Renewals
- 5 A New Law Now in Effect
- 6 Happy Birthday to You

## Your Board Members

Ron Teissere, LG  
Chair • *Olympia*

Reese Hastings, LG, LHG, JD  
Vice Chair • *Bremerton*

Ken Neal, LG, LEG  
Secretary • *Olympia*

Randall Scott Babcock, PhD, LG  
*Bellingham*

Russ Darr, LG, LHG  
*Olympia*

Jeffery Randall, PhD, LG, LHG  
*Preston*

Rita Robison, AICP  
*Tumwater*

## Message from the Chair

*By Ron Teissere, LG, Board Chair*

The first issue of the annual Geologist Licensing Board newsletter is now a reality. Both the Board and the Department of Licensing (DOL) staff see the newsletter as opportunity to communicate with geologist licensees and other stakeholders on a variety of topics, and to keep you informed about geology licensing issues as they arise.

The first 20 months of the program were completed with several key accomplishments. The first set of rules was adopted. The grandparenting period was completed, resulting in the granting of over 2,100 licenses. Specialty examinations for engineering geology and hydrogeology were developed. Washington administered the Association of State Boards of Geology (ASBOG) national geology exam for the first time in October 2002.

Several challenges remain. The 2003 legislature considered several bills amending the geologist act. The transition to a licensed geologist environment has caused some regulatory programs at the state and local levels to adjust their requirements, sometimes resulting in confusion among the people who have traditionally serviced these programs. The continued development of test questions for the two specialty exams remains a high priority. And some refinements to the initial rules are in process.

The Board and DOL are continuing their efforts to improve the program. The program has materially benefited from the high quality of DOL staff serving the program for the past 20 months. The Board also appreciates the many constructive comments received from our stakeholders. The Board and DOL staff review these carefully and use them when and where possible and appropriate. Thanks to everyone who is working to make this program a success.

*Administrative services are provided to the Board by the Department of Licensing. The Department and the Board have a policy of providing equal access to its services. If you need special accommodation, please call (360) 664-1575 or TTY (360) 664-8885.*



## Geologist Licensing Board

As a licensee or a stakeholder, you may be interested in how the Geologist Licensing Board ("Board") is constituted, what powers it possesses, and where and how often it meets. Established in RCW 18.220.030, the seven-member Board includes six licensed geologists and one public member, all of whom are appointed by the Director of the Department of Licensing to four-year terms. The seventh member is the State Geologist. Board members must have at least ten years of experience in the practice of geology to be eligible for appointment to the Board. Two of the members must be licensed in a specialty recognized by the Board. The public member may not have a professional or financial affiliation with a geologist.

Initial board appointment terms were staggered the first year of the program to ensure that no more than two board members' terms expired in one year.

**Ron Teissere, LG, Board Chair**, an Olympia resident, serves as an *ex officio* member of the board (RCW 18.220.030) as the State Geologist and Division Manager for the Washington Department of Natural Resources, Division of Geology and Earth Resources. Ron has been employed by the Department of Natural Resources for the past 17 years in mineral resource, land management, contract management, aquatic resource, and geology work. Since 1965, Ron has been employed by several corporations engaged in mineral, coal, and hydrocarbon exploration and development in geological, land management, and managerial positions. Ron's appointment is set in statute, so his term is indefinite.

**Reese P. Hastings, LG, LHG, JD, Board Vice-Chair**, a resident of Bremerton, is a geologist, hydrogeologist and attorney. He is a member of the Oregon State and American Bar Associations, and

the Northwest Mining Association (Past Secretary and Trustee). He has over 22 years of combined geologic, legal, and regulatory project management experience in domestic and international resource development projects. He directs technical and regulatory components of mineral and water resource valuation, project feasibility studies, and resource-specific environmental services performed by Hastings & Associates, Inc. He also performs project due diligence, land title review, project financing evaluations, project permitting and reclamation. His 3-year term expires May 1, 2004.

**Kenneth G. Neal, LG, LEG, Board Secretary**, a resident of Olympia, represents engineering geologists on the board. He is also licensed as a geologist and engineering geologist in Oregon, and is certified by the Department of Natural Resources Forest Practices Division in Watershed Analysis. He has 29 years of experience in the engineering geology profession, including 17 years with the USDA Forest Service and 10 years as the owner of a small consulting business. He also works intermittently as a disaster assistance employee with the Federal Emergency Management Agency (FEMA). Ken's 2-year term expires May 1, 2003.

**Russ Darr, LG, LHG**, a resident of Olympia, represents hydrogeologists on the board. He was the Director of the National Ground Water Association; Co-founder and President of the Colorado Ground Water Association. He has published, presented and lectured on geology issues and is recognized by the State EPA Information Management Workgroup for visionary leadership on national projects between 1995 and 2002. Russ spent 36 years as a geologist, including 31 years as a hydrogeologist in consulting firms, state and federal jobs. Russ served a 1-year term on the board, and was re-appointed to a 4-year term that expires on May 1, 2006.

**R. Scott Babcock, PhD, LG**, a resident of Bellingham, is the academic representative on the board. He is currently Chair of the Department of Geology at Western Washington University. He has been teaching and conducting research in geochemistry at the university since 1967. Scott's 3-year term expires on May 1, 2004.

**Jeffery H. Randall, PhD, LG, LHG**, a resident of Preston, represents hydrogeologists on the board. He is a Principal Hydrologist with Ch2M HILL in Bellevue, Washington. He had five years of teaching and research at the University of Arizona



The Geologist Licensing Board newsletter is published annually.

If you, or someone you know, would like to receive a copy of this publication, please contact us at:

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**Web site:** [www.dol.wa.gov/design/geofront.htm](http://www.dol.wa.gov/design/geofront.htm)

before joining CH2M HILL in 1978. Work in the United States and abroad has included hazardous waste, solid waste, water resources, and water supply projects. Jeff's 4-year term expires on May 1, 2005.

**Rita R. Robison, AICP**, a Tumwater resident, serves as the Public Member of the board. She is a growth management senior planner for the Washington Department of Community, Trade and Economic Development, where she reviews local comprehensive plans and development regulations, and works on growth management publications. Rita has an MA degree in public administration and a degree in journalism. She previously served as a member the Washington State Board of Pharmacy. Her four-year term expires May 1, 2005.

The Board has the authority to establish rules and regulations for adoption by the department. This authority enables the Board to establish minimum qualifications for licensure and standards of professional conduct and practice. The Board also has the authority to designate specialties of geology for licensure, recognize and approve examinations, grant or deny license applications, investigate complaints, hold hearings, and sanction licensees when necessary to protect public health, safety and welfare.

The Board holds one regular meeting in March, and a number of special meetings throughout the year. The 2003 meeting schedule is:

**January 21:** Olympia

**March 18:** Bellingham (*Western Washington University.*)

**May 20:** Olympia

**July 29:** Tacoma (*Joint meeting with the State Board of Registration for Professional Engineers and Land Surveyors*)

**September 16:** Spokane (*Washington State University*)

**November 18:** Olympia

You are invited to attend board meetings and give board members feedback on issues related to licensure. The meeting times and room locations can be accessed on the geologist website address on the front of this newsletter.

## History of Geologist Licensure in Washington

The Washington State Section of the Association of Engineer Geologists has, since 1968, periodically attempted to establish a licensing program for geologists and engineering geologists in Washington. In 1989, Senate House Bill 1597 required a sunrise review of the practice of geology in Washington. The sunrise review recommended that no state licensing of geologists be required at that time, that further data be gathered, and that regulation be considered again at a later time.

In 1991, a licensing bill based on the format and language outlined in the model act, was prepared by the Council of Professional Geological Organizations (CoPGO). The bill was introduced by the late Representative Cal Anderson, but died in Ways and Means. In 1994, a new act was drafted, following a format provided by the Washington Department of Licensing (DOL) and incorporating language from the CoPGO model act. The bill also died in committee. A new effort to pass geologist licensure was initiated in 1999 and, in 2000, as a result of a well-organized lobbying effort, the state of Washington enacted Engrossed Substitute Senate Bill 6455. This bill established the licensure of geologists and the Geologist Licensing Board ("board").

Now codified as Chapter 18.220 RCW, the law is similar to the draft bill compiled in 1994. The licensure program is established under DOL. In September 2000, a technical advisory committee was appointed by the Director of DOL ("director") to write rules to implement the new program. The appointees were Ray Lasmanis (State Geologist at that time), Jeff Randall (hydrogeologist), Russ Darr (hydrogeologist), Jennifer Leinart (mining geologist), the late Leonard Palmer (engineering geologist and academic member), and Ken Neal (engineering geologist). This committee drafted rules, to be approved by the board after it was appointed, that would enable DOL to start the licensing process on July 1, 2001, the effective date of the legislation. With the exception of the Rules of Professional Conduct (308-15-140 WAC), this committee drafted all of the existing rules.

The original act only provided for a single implementation date to appoint and seat the board, receive applications, and require licensure. Senate Bill 5206 was enacted in 2001 to grant DOL the authority to



appoint the board and start the licensure process, in April 2001. The new schedule allowed the process of licensing geologists to start July 1, 2001 and the grandparenting period to end June 30, 2002. It also extended the date on and after which a license was required to practice geology in Washington to July 1, 2002.

On May 8, 2001, at their first meeting, the board officially established the rules that were subsequently adopted by the director. At that same meeting, the hydrogeologist specialty was established by rule in accordance with the provisions of 18.220.050(5), which authorizes the board “to designate specialties of geology to be licensed under this chapter.” You may access the laws and rules relating to the practice of geology in Washington (Chapter 18.220 RCW, 18.235 RCW, and 308-15 WAC) on the Board’s web site on the front of this newsletter.

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## The Use of Professional Designations

The Geologist Licensing Board has received numerous inquiries over the past year on the use of professional titles and other designations. The questions came primarily from individuals who have been licensed to practice geology or one of the designated specialties under the Geologist Licensing Act (Act).

The matter of professional titles and other designations or abbreviations are important to the conduct of business simply because these designations confer a certain status upon the individual using them. They also convey to the public at large that the individual is making a clear representation about their professional qualifications. Within the framework of the Act, these titles and designations indicate the individual has met the licensing requirements and will execute their service within the professional area of practice in a manner that safeguards life, health and property and promotes the public welfare.

The Act provides clear guidance on the use of professional titles for licensees in RCW 18.220.090. It instructs the Director to issue a certificate of licensing that becomes prima facie evidence that the qualifying person is entitled to all the rights and privileges of a “licensed geologist or specialty geologist” while the certificate of licensing remains valid. This is a statutorily approved designation of a licensee’s title to professional status under the Act’s licensing program.

This section further directs the licensee to obtain

and use a seal of the design authorized by the Director, bearing the licensee’s name, certificate number, and the legend “licensed geologist” together with any specialty in which the individual may be authorized. WAC 308-15-070 provides further clarification on the use of a professional title recognized under the Act:

*“Upon licensure, you must obtain a stamp bearing your name, license number, and the legend “State of Washington Licensed Geologist.” If you are licensed as an engineering geologist or hydrogeologist, the specialty must be noted on the stamp.”*

Of course, the licensed geologist is required to use this stamp on all final geology or specialty geology documentation described in WAC 308-15-075. The Act does not recognize the use of any other title.

The Act is silent on the matter of abbreviations or other designations. In the absence of such guidance, the licensee should look to the normal rules of abbreviation to guide them in developing an appropriate abbreviated title. It is important to note that the Act is a licensing program, and does not purport to certify or register geologists or geologic specialty fields. Hence, the result of such effort to abbreviate one’s title should reflect that the individual is a licensee, and not a certified or registered geologist.

*Abbreviations the Geologist Licensing Board recommends include: Licensed Geologist (LG), Licensed Engineering Geologist (LEG), or Licensed Hydrogeologist (LHG).*

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## “Guidelines for Washington State Building Officials and Design Professionals” Handbook

You may be wondering what this article has to do with being a licensed geologist. If you work on projects that require a building permit, read on.

In the spring of 2001, the Geologist Advisory Committee worked with the architect, engineer, and landscape architect boards, board administrators, building officials, and non-licensed building designers to rewrite the “Guidelines for Washington State Building Officials and Design Professionals” handbook. This 36-page, fact-filled publication describes each of the professions, displays copies of the stamps, and gives examples of the type of work each must sign and stamp.

Building Officials promulgate and enforce building code requirements that protect public

health and safety. These are the local government people who approve plans and designs before construction.

Design professionals are state qualified based on their practical experience, education and testing for competency by a state board. They include Architects, Professional Engineers, Land Surveyors, Landscape Architects, On-Site Wastewater System Designers, and Geologists.

The Guidelines define geologists and provide a brief description of engineering geologist and hydrogeologist pre-construction, construction and post-construction work. Thus, if your geologic practice involves work potentially reviewed by these building officials, we recommend you obtain a copy and read these Guidelines.

You may see the Guidelines on the geologist website at the website address listed on page 2 of the newsletter, or obtain a copy by calling the geologist licensing office at (360) 664-1497.

## ***Coming Soon!***

### **Online (Credit Card) Renewals**

In July 2003, Geologist licensees will begin noticing something different on their renewal notices. You will receive a unique “password” and instructions on how to renew your license on line.

At the web address, you will be asked to enter your password and verify the name and address information associated with that password. If the record information is correct, you will be invited to update your address and phone information, and to renew your license using your credit card number (only VISA or MasterCard are accepted at this time). After you submit the information, you will receive a confirmation you can print out as verification of your renewal.

Your credit card number will be transmitted directly to the authorizing financial institution, and will not be accessible by the Department or any other state agency. Only the last five digits of the account number will be retained by DOL in case we need to troubleshoot any problems with the renewal transaction.

After you complete the transaction, you will be given the opportunity to complete an online survey to let us know how you like the service and give us ideas for improvement. We hope you like it!

## **A New Law Now in Effect That Applies to All Licensed Design Professionals**

*Effective January 1, 2003*

### **The Uniform Regulation of Business and Professions Act (URBP)**

As a Washington licensed geologist or stakeholder, you should have received a copy of the geologist “law book” from the Board a couple of months ago. It includes the law and rules related to the practice of geology (Chapter 18.220 RCW, Chapter 308-15 WAC) and also now incorporates the Uniform Regulation of Business and Professions Act (URBP) in Chapter 18.235 RCW.

The URBP was passed by the Washington State Legislature in 2002 and became effective on January 1, 2003. The URBP standardizes the disciplinary process for the 25 businesses and professions regulated by the Business and Professions Division (BPD) of the Department of Licensing by bringing them under a common administrative structure. The legislature took similar action for the health professions in the mid1980’s through passage of the Uniform Disciplinary Act.

### **History/Background**

Prior to the URBP, the authority of BPD’s 25 programs for enforcement of disciplinary actions varied significantly. Some programs had little enforcement authority and some had clear authority to suspend or revoke a license, issue monetary fines and pursue remedies for unlicensed practice.

When the geologist law was originally drafted, it included much of the enforcement authority authorized by the URBP, but not as much as other programs like funeral directors. With the passage of the URBP, those sections in the individual program laws that established procedures for adjudicative procedures and grounds for disciplinary actions were amended to eliminate equivalent sanctions and authorities that also appeared in the URBP. That is why, when you look at the geologist law, you will see that some sections have been repealed. The old clauses are not gone; they are just now covered in the URBP.

### **Purpose**

Combining all sanctions and disciplinary authorities into one law provides for easier, more consistent administration between professions. It also provides

individuals and businesses practicing in the geologist profession with a clearer definition of the standards to which they will be held. Most importantly, it provides consistent, fair, and uniform rules that can be used by the licensing programs within BPD to ensure protection of the public.

Under the URBP:

*members of the public* have —

- a clearer definition of the kinds of activities which constitute unprofessional conduct by licensees in all programs, in one location; and
- a uniform set of disciplinary sanctions that protect the public from unprofessional conduct

*Licensees* have —

- a clear definition of those behaviors that constitute grounds to initiate disciplinary actions; and
- the opportunity to use rehabilitation options in resolving concerns about the quality of their practice.

*The disciplinary authority (i.e., the Board)* has —

- more flexibility in the way disciplinary actions can be resolved;
- a uniform set of disciplinary sanctions that not only protect the public from unprofessional conduct, but also promote rehabilitation for individual licensees; and
- the ability to more effectively deal with unlicensed practice.

### The Importance of Due Process

Of course, one essential element of democracy is the right to “due process,” guaranteed in the Fifth Amendment of the U.S. Constitution. In addition,

The Fourteenth Amendment says that, “No state shall make . . . nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.” Washington state’s own Constitution, in Article 1, Section 3, says that, “No person shall be deprived of life, liberty, or property, without due process of law.”

Procedural due process protects the rights of licensees and those practicing without a license by granting them fundamental rights such as the right to be heard, the right to be notified, meaningful notice and opportunity to be heard, and the appearance of fairness. You can be assured that due process will be afforded to any licensed or unlicensed individuals during administrative proceedings.

If you would like to read the entire contents of the URBP (it’s good reading!), go to the Board website address listed on the front of this newsletter and click on the URBP under “Quick Clicks.”

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## Happy Birthday to You

Your renewal fee is due....

Yes, your license renewal date is your birth date. This may mean that your first license is effective for less than a year, or slightly more than a year.

If your next birthday is more than three months after the issuance of your first license, your renewal fee is due on your next birthday (less than one year).

If your next birthday is within three months of the issuance of your first license, your renewal fee is due on the second birthday following the issue date (more than one year).

